

REMARKS

This Preliminary Amendment along with the previous Amendment and Rule 132 Declaration filed on January 28, 2011 constitute the proper Submission with the RCE being concurrently filed and fully complies with M.P.E.P. § 706.07(h)(II).

Status of the Claims

In the present Amendment, claims 9-16 added. Claims 4-8 were previously canceled without prejudice or disclaimer of the subject matter contained therein. Thus, claims 1-3 and 9-16 are pending in the present application.

Support for new claims 9-11 can be found at page 4, lines 21-24 of the present specification. Support for new claims 12-14 can be found at page 6, line 19 to page 7, line 4 of the present specification. Support for new claims 15-16 can be found at page 8, lines 23-25 of the present specification. No new matter has been added by way of these new claims.

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

Rejections under 35 U.S.C. § 103(a)

Claims 1-3 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over **Misaki ‘996** (U.S. Patent No. 4,765,996) in view of **Kwak ‘997** (U.S. Patent No. 6,402,997), **Nanbu ‘675** (U.S. Patent No. 6,074,675) and **Tamaki ‘462** (U.S. Patent No. 6,436,462) (Office Action, pages 2-8). Also, the reference of **WO ‘065** (WO 2008/140065) is provided as evidence.

Applicants respectfully submit that the Amendment and Rule 132 Declaration filed on January 28, 2011 sufficiently address this rejection. As indicated in the Advisory Action of February 16, 2011, the Rule 132 Declaration has not been considered (see Box 9 of the PTOL-303 form). This also means that previous arguments in view of the declaratory evidence have not been considered.

Thus, consideration of the previously filed Amendment and Rule 132 Declaration is respectfully requested. Also, Applicants request favorable consideration of the new claims in the present Preliminary Amendment. It is believed that the new claims are patentable for the same reasons of record.

Conclusion

A Notice of Allowability is respectfully requested.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez, Registration No. 48,501, at the telephone number of the undersigned below to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Director is hereby authorized in this, concurrent, and future replies to charge any fees required during the pendency of the above-identified application or credit any overpayment to Deposit Account No. 02-2448.

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Respectfully submitted,

By 

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